IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.RAMACHANDRAN
&
THE HONOURABLE MR. JUSTICE A.K.BASHEER

WEDNESDAY, THE 13TH DECEMBER, 2006 / 22ND AGRAHAYANA 1928

FAO.No. 277 of 2006()

(AGAINST THE ORDER DATED 18/09/2006 IN IA.1371/06 IN OS.14/2006 of I ADDL.SUB COURT,TRIVANDRUM)
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APPELLANT(1ST COUNTER PETITIONER/1ST DEFENDANT:

SARALA, W/O.LATE M.K.SUDHAKARAN,
GEETHANJALI, T.C. 13/243, PATTOOR, PETTAH,
THIRUVANANTHAPURAM.

BY ADV. SRI.K.B.PRADEEP

RESPONDENTS: (PLAINTIFFS/PETITIONERS & DEFENDANTS 2 TO 7/ COUNTER PETITIONERS 2 TO 7 IN THE TRIAL COURT)
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1. MEENA SUNIL W/O.G.SUNIL &
D/O.M.K.SUDHAKARAN, RESIDING AT GEETHANJALI,
T.C.13/243, PATTOOR, PETTAH, THIRUVANANTHAPURAM.

2. G.SUNIL, S/O.M.GOPALAKRISHNAN,
DO. DO.

3. S.SATHEESH, S/O.LATE M.K.SUDHAKARAN,
ANUGRAHA, AKSHARAVEETHI ROAD, PETTAH P.O.,
THIRUVANANTHAPURAM.

4. S.SANTHOSH, S/O.LATE M.K.SUDHAKARAN,
NEETUSHA, KANNAMMOOLA, MEDICAL COLLEGE P.O.,
THIRUVANANTHAPURAM.

5. S.GEETHA,
D/O.LATE M.K.SUDHAKARAN, KALYANI,
KANNAMMOOLA, MEDICAL COLLEGE P.O.,
THIRUVANANTHAPURAM.

6. A.REGHU, RETIRED EXECUTIVE ENGINEER,
RITA NIVAS, PAPPALA, KILIMANOOR.

7. ANURAG, S/O.REGHU, BHUVANESWAR,
MOONNUMUKKU, PETTAH, THIRUVANANTHAPURAM.

8. ARCHANA, D/O.LATE RITA REGHU,RITA NIVAS,
PAPPALA, KILIMANOOR.

BY ADV. SRI.SUMAN CHAKRAVARTHY
SRI.P.PARAMESWARAN NAIR
SMT.SREELATHA PARAMESWARAN NAIR
SRI.R.SUDHEESH KUMAR
SRI.SUNIL KUMAR A.G

THIS FIRST APPEAL FROM ORDERS HAVING BEEN FINALLY HEARD

ON 13/12/2006, THE COURT ON THE SAME DAY PASSED THE

FOLLOWING:

M. RAMACHANDRAN & A.K.BASHEER, JJ.

F.A.O.NO. 277 OF 2006

Dated this the 13th day of December, 2006

J U D G M E N T

Basheer, J.

This appeal which is at the instance of first defendant in a suit for partition is directed against an interim order passed by the court below. By the impugned order, the court below has restrained the appellant/defendant No.1 from alienating the plaint schedule property.

2. Having heard learned counsel for the parties, we are satisfied that no interference with the order is warranted at this stage. However, it is made clear that the court below shall dispose of the suit untrammelled by the order passed in the injunction application and also without prejudice to the contentions raised therein. The suit shall be expedited and disposed of within a period of four months from the date of receipt of a copy of this judgment. The appeal is disposed of as above.

M. Ramachandran, Judge

A.K.Basheer, Judge

Mbs/

M. RAMACHANDRAN &
A.K.BASHEER, JJ

W.P.(FC).NO. OF 200

J U D G M E N T

DATED: -11-2006